Representation against taking over of management of vijayanata Nursery School Avadi

3599. SHRI SAMAR MUKHERJEE: Will the Minister of DEFENCE be pleased to state;

(a) whether any representation has been received by the Minister of Defencs in September, 1987 from the Headmistress of Vijayanta Nursery School, Heavy Vehicles Factory, Avadi, Madras, complaining that despite Defence Ministry's order dated 11th October, 1965 sanctioning a nursery section, alongwith the primary school in the HEF, some private people, backed by the school administration, have taken over the management;

(b) whether it is a fact that the said nursery school was handed over to a private association without proper authorisation, either by Ordnance Factory Board or by the Ministry of Defence;

(c) whether it is also a fact that the Head Mistress and four teachers of the nursery section, who have been working for more than two decades, ha/e been absorbed as clerks and peons in the factory;

(d) whether the Supreme Court had ordered that the HVF management should not interfere with the duties of Government teachers and Head Mistress but that it was not complied with; and

(e) whether Government are taking corrective steps to implement the Supreme Court's orders and restore the status of the said school and its teachers?

THE MINISTER OF STATE IN THE DEPARTMENT OF DEFENCE PRODUCTION AND SUPPLIES IN THE MINISTRY OF DEFENCE (SHRI SHIVRAJ PATIL): (a) A representation dated September 1987 from the Head Mistress, Vijayanta Nursery School was received by Raksha Mantri with letter dated 7-10-1987 from Shri Samar Mukherjee, MP. It was on the subject of Management of Vijayanta Nursery School. The status of the said Nursery portion of a Primary School in the Estate of Heavy Vehicle Factory, Avadi which was sanctioned on 11-10-1965 (and functioned upto June, 1966), the handing over of its management to a Women Welfare Association and redeployment (as teachers) of the Headmistress and four teachers under employ of the Heavy Vehicle Factory are being looked into and they were also the subject of litigation before the Central Administrative Tribunal, Madras Bench.

Against the judgement of the Tribunal delivered on 10th April, 1987, some aggrieved teachers went in appeal to Supreme Court. That Court has by its order dated 5th may, 1987, stayed the orders of the Tribunal and the transfer orders and restrained the factory authorities from interfering with the duties of the petitioner/appellant Headmistress! teachers. By its Order dated 30th October, 1987 the Supreme Court has also directed further that till the matter is heard and disposed off by the Supreme Court, full charge of the post of Headmistress be give$_n$ to the petitioner immediately, who will be under the control of the Management of the Ordnance Factory and the President of Women Welfare Association shall not interfere. The Factory authorities have implemented the orders of the Supreme Court.

Issues recorded in the Joint Consultative Machinery and Compulsory Arbitration

3600. SHRI SAMAR MUKHERJEE: Will the PRIME MINISTER be pleased to state:

(a) the number of agreements/disagreements recorded in the Joint Consultative Machinery National Council and Compulsory Arbitration for Central Government employees during the last three years;

(b) what are the issues which were settled and what are the issues on which disagreements were recorded and referred to the Compulsory Arbitration during the last three years;

(c) the issues on which arbitration awards were given and implemented, issue-wise, during the last three years; and

(a) the issues that are still pending for settlement and discussion with the Joint Consultative Machinery National Council?

THE DEPUTY MINISTER IN THE MINISTRY OF PERSONNEL. PUBLIC GRIEVANCES AND PENSIONS (SHRI BrREN SINGH ENGTl); (a) to (d) The information is being collected and will be laid on the Table of the House.

Eligibility list of section officers

3601. SHRI GURUDAS DAS GUPTA: Will the PRIME MINISTER be pleased to state;

(a) whether any eligibility list of Section Officers are being prepared by inclusion of even those who have resigned, retired, already promoted through earlier select lists 'and those who had not been substantially appointed.

(b) if so, the action taken to correct the eligibility lists and by whe$_n$ this task is proposed to be completed;

(c) whether it is also a fact that UPSC has advised Government in. the above matter; and

(d) the action taken, if any, on the said advice to remove the lacunae?

THE DEPUTY MINISTER IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI BIREN SINGH ENGTI): (a) to (d) The Eligibility List of Section Officer, for promotion to Grade I is prepared as per Regulation 5 of the Central Secretariat Service (Promotion to Grade I and Selection Grade) Regulations, 1984. The draff Eligibility List is invariably circulated for inviting objections and finalised after taking into account all objections/ observations received from the cadres/ individuals and the Union Public Service Commission.

Seniority according to date of appointment of section officers

3602. SHRI CHATURANAN MISH-RA: Will the PRIME MINISTER be pleased to state;

. (a) whether the Supreme Court, High Courts and Administrative Tribunals have held that where the quota and rota rules have failed, seniority is to be determined from the date of appointment in the grade/post;

(b) whether it is also a fact that rec-cruitment in the ease Of Section Officers of the Central Secretariat Service has not been made in the requisite quota over the last twenty years; and

(c) if so, what action has been taken by Government to reckon the service from the date of appointment in the case of Section Officer;, of the Central Secretariat Service?

THE DEPUTY MINISTER IN THE MINISTRY OF PERSONNEL. PUBLIC GRIEVANCES AND PENSIONS (SHRI BIREN SINGH ENGTI): (a) to (c) The relative seniority of the members of the Central Secretariat Service is regulated as per Rule 18 of the Central Secretariat Service Rules, 1962. There has been no judgement delivered by the Supreme Court|High Court quashing this rule Or the principle of seniority laid down therein.

In some specific cases, the Supreme Court have in fact observed that there is no failure of the quote in the CSS and the principle of fixation of seniority on the basis of rota quota system is in order.

Stagnation in the case of section officers

3603. SHRI CHATURANAN MISH-RA: Will the PRIME MINISTER be pleased to state:

(a) whether there is acute stagnation in the case of Section Officers of the Central Secretariat Service; and

(b) if so, what remedial measures have been taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): (a) and (b) Permanent Section Officers of the Central